



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

June 10, 1992

Mr. James E. Nugent  
Commissioner, Railroad Commission of Texas  
P. O. Box 12015  
Austin, Texas 78711-2015

OR92-337

Dear Commissioner Nugent:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, V.T.C.S. article 6252-17a. Your request was assigned ID # 16036.

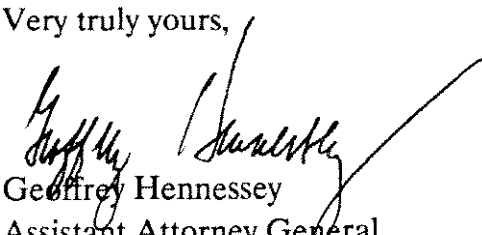
The Texas Railroad Commission (the commission) received a request for the names of individuals who lodged complaints with the commission resulting in the investigation of B. N. Transport. You advise that the carrier, B. N. Transport, was investigated for freight hauling without proper authority in violation of V.T.C.S. article 911b, Sections 2, 3, 4(a)(12), and 16(b). You contend that the requested information is excepted from required public disclosure pursuant to section 3(a)(1) of the Open Records Act.

The request is in the form of an interrogatory rather than a request for specific records. The act does not require a governmental body to prepare new information in response to a request or to prepare answers to questions. Open Records Decision No. 555 (1990) at 1. The act, however, does require a governmental body to make a good faith effort to relate a request to records in its possession. Open Records Decision No. 561 (1990) at 8. When a governmental body is presented with broad requests for information rather than for specific records, it may advise the requester of the types of information available so that the request can be narrowed. *Id.* at 9. Once the governmental body has clarified the intent of the request, you must release the information within ten days or request an open records decision from this office.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with

a published open records decision. If you have questions about this ruling, please refer to OR92-337.

Very truly yours,



Geoffrey Hennessey  
Assistant Attorney General  
Opinion Committee

GH/lmm

Ref: ID #16036

cc: Mr. Billy Byers  
B. N. Transport Inc.  
Route 1, Box 357 ZB  
Cleveland, Texas 77327